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2	Q.	Why were they contactin	g you?	2	like that?	?		
3		You may think it's	funny.	3		You can't get the		
4	A.	It is funny.		4	cooperat	ion of any law enforcement agency,		
5	Q.	I don't think so.		5	okay, inc	luding the Pennsylvania State Police		
6	A.	But the reason why they	contacted	6	and then	you call members of your unit who		
7	us, becau	se he took the kids and app	parently	7	are assig	ned to, let's say, a marshall's		
8	they foun	d out the custody order wa	is crap and	8	office and	d use your influence to do that,		
9	they wan	ted us to check his residence	ce in	9	would you do that?			
10	Tioga Co	unty.		10	A.	I don't know the circumstances.		
11	Q.	Is that what you think?		11	Q.	I know you don't.		
12	A.	Yes.		12	A.	You're asking me to form an		
13	Q.	Do you know that they go	ot	13	opinion b	pased on not having		
14	involved	because no one would assis	t the	14	Q.	But you think this is funny and		
15	Richmon	d Police Department and t	he Richmond	15	you don'	t know all the facts, but you think		
16	Police De	partment had to call two o	f their	16	it's funny	y.		
17	friends w	ho are assigned to the mar	shall's	17		Don't you?		
18	office dov	wn there to get involved an	d use	18		MR. HENZES: No. He		
19	their infl	uence to get a fugitive war	ant so	19	thin	ks what's funny is how you're trying		
20	that the I	BI up here could get invol	ved?	20	to m	isconstrue everything. That's the		
21		Did you know all o	of that	21	funr	ny thing, Brian.		
22	Sergeant	?		22		MR. PURICELLI: Well,		
23	A.	Nope.		23	that	's your interpretation.		
24	Q.	No.		24		THE WITNESS: That's mi	ne,	
25		So would you do s	omething	25	also	, sir.		
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71 72 1 1 JOSEPH TRIPP JOSEPH TRIPP the children from Pennsylvania? 2 MR. PURICELLI: Well, may 2 3 be so, but I would expect you to say so 3 I believe there was a court order 4 for your attorney. 4 in effect that he -- I don't know. Without 5 BY MR. PURICELLI: 5 reviewing the court order, there was 6 Q. Now, did you have any training in something in there. Whether it was his 6 7 custody law? 7 parental rights that he signed off at the 8 A. Specifically, not that I recall. time that expired, there was something in 9 9 Q. Do you have any training as a there. I don't have the court order in front 10 lawyer? 10 of me. 11 A. No. 11 Q. Okay. Did you FAX anything to 12 O. Do you have any training in civil 12 the State Police? 13 rights? 13 FAX anything to? 14 Just what we get through the 14 MR. HENZES: The State A. 15 department. 15 Police according to you. 16 Q. And you heard the lieutenant say 16 BY MR. PURICELLI: 17 that he knew that you couldn't interfere with 17 Q. To the Virginia State Police. a parental right to be with their children. I believe after the fact. Yes. 18 A. 19 Didn't you? 19 Q. Yes. 20 A. Again, it depends on the 20 In fact, it was an expired 21 circumstances. 21 PFA. 22 Q. 22 Wasn't it? Could be a lot of things. 23 A. 23 Yeah. The one I believe I What circumstances>. A. 24 Q. Was there any court order that 24 testified to expired in January -you knew of that gave Sara the right to take 25 Why did you FAX an order that had

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2	no legal effect at all?	2	A. I talk to my captain all the	
3	A. They asked for it.	3	time.	
4	Q. Didn't they ask you for a court	4	Q. About this?	
5	order that gave her custody?	5	A. I don't recall if I talked to him	
6	A. I don't recall. They asked us	6	relative I talked to Lieutenant Peters.	
7	for any court orders that we had copies of	7	He was actually at our station, who was the	
8	relative to the children.	8	crime lieutenant.	
9	Q. Okay. So when we started this	9	Q. Uh-huh.	
10	whole conversation and asked you if you had	10	When did you talk to him?	
11	made notes, reports, you said why.	11	A. He was there and had a meeting	
12	The question now is you're	12	with I believe he was there, Whisner,	
13	doing all these activities.	13	Trooper Whisner who wrote the report,	
14	Are you making a report	14	Corporal Wheeler and I believe John Cowley,	
15	about your activities?	15	the district attorney was also there and I	
16	A. That I sent a copy of a custody	16	sat in on that.	
17	order to Virginia State Police? No. I did	17	Q. Okay. And was that noted in any	
18	not make a report of that.	18	documents that you have in front of you?	
19	Q. And the same thing about the	19	A. I don't recall seeing it there.	
20	discussion with the FBI.	20	Q. I don't recall reading anything.	
21	Correct?	21	Randy will say if he saw it or not.	
22	A. No.	22	MR. PURICELLI: Randy, did	
23	Q. Okay. Now, is there anybody else	23	you see anything like that anywhere so	
24	you talked to, for example, Captain Hill that	24	I'm not distorting the record?	
25	you didn't make any reports about?	25	MR. HENZES: See anything	

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1	JOSEPH TRIPP	1		JOSEPH TRIPP	6
2	that what?	2		Correct?	
3	MR. PURICELLI: About this	3	A.	Yes.	
4	meeting he's referring to.	4	Q.	In fact he cited 2908 and 2909.	
5	MR. HENZES: Well, there's	5		Didn't he?	
6	a reference on page seven of the report	6	A.	I don't recall that.	
7	that Tioga County was not going to seek	7	Q.	I'm going to show you what's been	
8	any prosecution towards any party, let	8	previous	ly marked as David Bush-1 from a	
9	alone against her or him.	9	Decembe	er 22, 2009 deposition.	
10	MR. PURICELLI: Okay.	10		Do you recognize that	
11	MR. HENZES: So they did	- 11	documen	nt?	
12	that. Doesn't say when the meeting took	12		MR. HENZES: Have you ever	
13	place. But, again, that's not his	13	seen	it before is the question?	
14	report. Again I come back to this.	14	BY MR.	PURICELLI:	
15	You're asking him if he prepared any	15	Q.	Same thing.	
16	reports and he's already answered your	16	A.	Yeah. I don't recall ever	
17	question no. But as I said before,	17	reading t	this.	
18	you're free to do what you want to do.	18	Q.	Okay. The last page, last	
19	Go ahead.	19	A.	Excuse me?	
20	MR. PURICELLI: Thank you.	20	Q.	Last page	
21	BY MR. PURICELLI:	21	A.	Uh-huh.	
22	Q. Now, when Dave came in to report	22	Q.	last entry there's some	
23	his belief his kids were missing, he	23	numbers	2808 and 2809 (sic).	
24	reported, in fact, that he believed a crime	24		Correct?	
25	had been committed.	25		Your attorney will show	

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79 1 1 JOSEPH TRIPP JOSEPH TRIPP 2 want to say that's on your mind and then I 2 Didn't you? 3 3 will ask you my questions and get my answers A. Correct. 4 so that they're off your mind? 4 Q. Who did you speak to? 5 A. No. I'm good. 5 A. I'm not sure who answered the phone. I asked for the investigator in 6 Q. So is it your testimony you 6 7 7 didn't see the investigation report at all? charge of the missing Bush children. 8 No. I saw the report. 8 Q. Okay. And did somebody answer? A. 9 When? 9 Q. A. Detective Bush. 10 MR. HENZES: The whole 10 Okay. And what transpired? Q. When he answered Detective Bush, 11 report? 11 BY MR. PURICELLI: again, I was not surprised because I had 12 12 13 Q. The whole report. The whole 13 asked David Bush who he knew at Newtown Township Police Department because, again, he 14 report, of course. 14 lives in Tioga County. 15 I saw the report. What bits and 15 16 pieces or at what timeframe, I have no idea, 16 What did he tell you? 17 but I was mostly kept updated by the crime 17 MR. HENZES: Would you let 18 him finish his answer? 18 supervisor. 19 Now, at some point in time David 19 BY MR. PURICELLI: Q. 20 Bush came back to your barracks with a court 20 Q. Sure. 21 order and an NCIC entry. 21 What did who tell me? David A. 22 22 Bush? Correct? 23 Correct. 23 A. Q. Finish your answer. 24 Q. And subsequent to that you called 24 A. Okay. I see this posture. It the Newtown Township Police Department. says children are entered national center for

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1	Case 2:07-cv=04936-MAM Document	55-191	Filed 10/01/10 ₽ ₽ ₽ 2 9 5 of 9		
2	exploited or missing children. If you have	2	A. Yeah. I don't recall who it was		
3	any information contact Newtown Township	3	that answered. I asked to speak to whoever		
4	Police Department. I don't even know where	4	was in charge of the Bush children		
5	Newtown Township is. So I ask Mr. Bush.	5	investigation.		
6	MR. HENZES: David Bush.	6	Q. Did you ever speak with a		
7	THE WITNESS: David Bush.	7	Sergeant Patton?		
8	And he states, down near	8	A. I don't know.		
9	Philadelphia.	9	Q. Do you have any reason to		
10	I said, how in God's name	10	believe do you know a Patton?		
11	do you have a police department down	11	Q. Sergeant Charles Patton,		
12	near Philadelphia entering the kids?	12	P-A-T-T-O-N.		
13	They just took it.	13	A. No. I do not know a Sergeant		
14	I said, who do you know at	14	Charles Patton.		
15	Newtown Township?	15	Q. Do you recall speaking to any		
16	I don't know anybody.	16	persons other than the two people you're		
17	So I asked him to step	17	referring to, Detective Bush and whoever		
18	outside and I called down to Newtown	18	answered the phone?		
19	Township. They hooked me up with	19	A. I don't know if I talked to the		
20	Detective Bush.	20	chief or tried to talk to the chief. I don't		
21	MR. HENZES: Christopher	21	remember. But I did speak with Detective		
22	Bush.	22	Chris Bush.		
23	BY MR. PURICELLI:	23	Q. Okay.		
24	Q. "They," whoever answered the	24	A. Chris.		
25	phone?	25	Q. And as a result of that you		
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JOSEPH TRIPP

learned that he, in fact, had put the kids in

Okay. And after you learned that

Did you contact Captain, now

I asked Mr. Bush if he had an

I said, how did you enter the

He said, off of your

Okay. And you did nothing except

He said, no.

Correct.

did you contact CLEAN?

No. Why not?

Okay.

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NCIC?

A.

Q.

A.

Q.

Major Hill?

A.

Q.

A.

Q.

A.

investigation.

kids?

investigation.

2 A. I don't know. 3 Q. Well, I don't know, either, if 4 you don't tell me. 5 So you knew no reason to contact anybody except your guys at the 6 7 station about that CLEAN entry. 8 Yeah. I don't know if Corporal Wheeler contacted CLEAN. I don't know. 9 10 Somebody obviously did. 11 Q. Well, do you know when somebody 12 obviously did? Time? A date? 13 A. No. 14 Was it before or after the children were recovered that somebody 15 16 obviously --17 A. I don't know.

-- called CLEAN?

Okay. When was the first time

Okay. Did there come a time that

you learned somebody had contacted the State

Police CLEAN unit about that CLEAN entry?

I think after the kids were

I don't know.

Q.

A.

A.

picked up.

Q.

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19

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JOSEPH TRIPP

85 Case 2:07-cv-04936-MAM Document 55-191 Filed 10/01/10 Page 6 of 9 2 double negative I know. 2 you were being investigated for your interactions with Detective Bush? 3 MR. PURICELLI: So we'll 3 4 clean it up, Randy. I'm sorry. 4 A. Ves. 5 BY MR. PURICELLI: Okay. Was the information that 5 O. Is there are anything you can 6 you learned about that entry to NCIC before 6 7 tell me factually to dispute the fact that or after you learned you had a complaint 7 against you about your interaction? 8 you learned about the CLEAN entry after you 8 learned you were being investigated because 9 A. Okay. You totally lost me. 9 of a claim made by Detective Bush? 10 Q. 10 You asked me if I learned of the 11 A. 11 A. One more time. CLEAN entry. I knew of the CLEAN entry. 12 0. Did you learn someone had called 12 13 Q. The investigation concerning the CLEAN before or after you learned you were 13 14 the subject of an investigation that was 14 CLEAN entry. started because of a complaint against you by 15 A. Or the CLEAN complaint? 15 Which one are you asking? 16 **Detective Bush?** 16 However you want to phrase it. 17 A. I don't know before or after. I 17 Q. 18 don't know. 18 MR. HENZES: No. How you phrase it because you're asking him to 19 19 What evidence do you have, if Q. 20 answer your questions. any, that you can provide to me today that 20 MR. PURICELLI: All right. you didn't learn that there was a CLEAN entry 21 21 22 THE WITNESS: The first --22 until after you learned that you were the BY MR. PURICELLI: 23 subject of an investigation? 23 We're going to try to clean this 24 I don't have any evidence here. Q. 24 A. All right. Do you recall --25 25 up for Randy and you. Q. Bucks County Court Reporters 215.348.1173 Bucks County Court Reporters 215.348.1173

88 1 JOSEPH TRIPP Department, the Virginia State Police and the 2 3 FBI? Did you speak to anybody 4 5 other than those agencies? Trooper Smith from our fugitive 6 A. 7 unit. Okay. From the Pennsylvania 8 Q. 9 State Police. 10 A. Yeah. But not out of our building. 11 No -- any other entity other than 12 O. 13 the ones I've named in regards to the matter we've been talking about in this lawsuit? 14 MR. HENZES: That he spoke 15 to personally? 16 BY MR. PURICELLI: 17 18 Q. Yes. Yes. Yeah. The people from the 19 A. arbitration. 20 Okay. Aside from the arbitration 21 and your attorney, obviously. And let's just 22 stick with --23 24 A. And PSP people. Yeah. We already covered PSP. 25 Q.

1		JOSEPH TRIPP				
2	Α.	Okay.				
3	Q.	You learned at some time, is your				
4	testimony	as I understand it, that there				
5	became an investigation about that CLEAN NCI					
6	entry that David Bush told you about.					
7		Correct?				
8	A.	Yes. I learned that				
9	Q.	Okay.				
10	A.	the CLEAN section was looking				
11	into the entry.					
12	Q.	Okay.				
13	A.	Yes.				
14	Q.	Can you provide me with any fact				
15	to dispute that you learned of that CLEAN					
16	investigation into the entry, okay					
17	A.	Okay.				
18	Q.	after you were being				
19	investigated as a result of the complaint by					
20	David Bush about you or Christopher Bush?					
21	Α.	No. I don't have any evidence.				
22	Q.	Okay. Do you recall any agencies				
23	other tha	n Tioga County District Attorney's				
24	Office, th	e Haven unit, the Newtown Township				

Police Department, Richmond City Police

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2 any relationship with Haven? 3 A. No relationship with Haven. 4 Okay. Do you have -- do you, 5 personally, or members of your station, not the present, back then during this case, have 6 7 any relationship with Haven? 8 A. Yeah. Working relationship. 9 Q. Other than the working? 10 A. That's it. 11 Q. Okay. And in the report indicates contact was made to Haven to try to 12 locate the kids. 13 Yeah. Looking for a location for 14 A. 15 Sara. I think her name is. What, if anything, was said by 16 Q. David Bush to cause the State Police to 17 believe Haven would know anything about the 18 whereabouts? 19 Just the past history of the 20 A. 21 domestic violence. 22 Q. Other than the history of the domestic violence was there anything in the 23

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she ever went to Haven?

records anywhere that you saw that indicated

91 1 1 JOSEPH TRIPP JOSEPH TRIPP 2 2 A. She was a victim of domestic A. I believe she used an attorney 3 3 out of Haven at some point. violence. I understand that. 4 Okay. So Haven provides women 4 Q. Q. 5 A. Uh-huh. 5 with attorneys? And I asked you what made you 6 I'm not sure. I don't know if 6 Q. A. think she had any contact with Haven other 7 this woman had been an attorney prior to that 7 8 something was -- there was contact with 8 than she claimed to be a victim of domestic 9 violence? 9 Haven. 10 10 A. Again, this was Trooper Whisner Q. Why did you form the opinion that 11 doing this, not --Haven provided her with an attorney? 11 I know, but you said you were the 12 Whether this woman now works at 12 13 Haven that used to be her attorney through 13 one. You believed. That's why I'm forming 14 your belief. their divorce, I don't know. There was some 14 15 You're asking me to form an connection there. A. 15 16 Q. You just told me you believed 16 opinion off of Whisner's report. That's what Haven provided Mrs. Bush with an attorney. I 17 I believe --17 Q. heard that correctly. 18 18 Okay. 19 19 A. -- is why Whisner, you know, Right? contacted Haven. It was not at my direction 20 No. What I'm saying is she had 20 A. an attorney. Whether she currently works for 21 he contacted Haven. 21 22 Is there anything in Whisner's Haven now, I don't know the whole connection, report that you read that indicated Haven but there was a connection to Haven. 23 23 24 What was the connection? You 24 provided an attorney to Mrs. Bush? Q.

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25

don't know?

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2	Q.	How did you know that N	Ars. Bush	2	Q.	In fact, isn't it true that's the
3	even had	an attorney?		3	only pers	on he contacted other than the
4	A.	Because I read the histor	y on	4	sister of I	Mrs. Bush?
5	Mr. Bush			5	A.	No. He contacted
6	Q.	Okay. And that history v	was	6	Q.	Smith.
7	provided	to you how?		7	A.	Trooper Smith.
8	Α.	Through prior reports.		8	Q.	We've been over that.
9	Q.	So you did read reports.		9		Anybody else that you saw
10	A.	Of yes. I testified to th	at	10	he contac	eted?
11	earlier.			11	A.	Talking with the district
12	Q.	Now, was there anything	in that	12	attorney.	
13	report th	at indicated Haven supplie	d the	13	Q.	District attorney didn't know
14			14	where she was.		
15	A.	I don't recall the specific	s.	15		Right?
16	Q.	In your review of the rep	orts did	16	A.	Okay.
17	you see a	ny notation where the attor	rney was	17	Q.	Okay. Isn't it limited to the
18	contacted	1?		18	district a	ttorney saying see if you can find
19		The attorney repre	esenting	19	out infor	mation about her?
20	Mrs. Bus	h.		20		Isn't that your
21	A.	How she was contacted?		21	interpret	cation of the entry?
22	Q.	Was she contacted by the	e	22	A.	Yes.
23	investiga	tor?		23	Q.	Okay. So he wasn't calling the
24	Α.	I don't no. He said he		24	district a	ttorney to find the whereabouts,
25	contacted	l Haven.		25	was he?	
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1 JOSEPH TRIPP 2 Bush. 3 Q. Uh-huh. Yeah. I believe he ran looking 4 for a driver's license. Stuff like that. I 5 don't know who that is. Friend. 6 7 Q. Friend of Mr. Bush. 8 A. Yeah. There was --9 Q. Attorney right there. Notation 10 right there. 11 A. Steve Banik. Yeah. Mr. Banik was for Mr. Bush. 12 Q. Wasn't it? 13 14 You have to at least answer my question. 15 16 That was a yes? A. I don't know --17 Q. Oh. 18 19 A. -- the relationship between 20 Mr. Bush and Banik. I don't know. You don't know if Banik was his 21 Q. 22 attorney? 23 A. I don't recall that. 24 Q. Okay. 25 I mean, I can believe it. Yes. A.

95 1 JOSEPH TRIPP 2 A. No. All right. From your review of 3 Q. 4 the records now that we know you read tell me what you saw your investigator in your 5 station under your command doing to locate 6 7 the kids other than call Haven, talk to the 8 criminal officer and talk to the sister. 9 Again, I remember you asking relative to drivers' histories and stuff like 10 that, you know, change of registration and I 11 was positive all that stuff was in here. 12 13 Q. Well, you just passed some of it. Right? 14 That was on Mr. Bush. 15 A. 16 Q. I noticed that. 17 I noticed it was on his 18 attorney, too. 19 A. His attorney? 20 Q. Yeah. There's two of them there. 21 Notice of his attorney. You didn't know that? 22 23 What do you mean? A. 24 I don't know what you're 25 talking about. There's Chris Bush and David

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that Christopher Bush, brother of David Bush,

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difference.

99 100 1 1 JOSEPH TRIPP JOSEPH TRIPP 2 MR. HENZES: No. You talk 2 Q. Okay. This complaint was made on about the complaint from CLEAN and then January 15, '07 by the date on the bottom. 3 3 4 the complaint in the civil matter. 4 Correct? 5 5 MR. PURICELLI: I think Lower right-hand side. you marked it Christopher-1, but I'm not 6 6 A. Again, it appears so. 7 sure. So I'll mark this. 7 Q. Okay. Do you have any reason to 8 8 dispute that date? 9 9 Nope. (Exhibit Tripp-1, marked A. 10 Okay. Would it be fair to 10 for identification.) conclude after January 15, '07 you came to 11 11 BY MR. PURICELLI: the knowledge that you were the subject of 12 12 13 I'm showing you what's been 13 this complaint? 14 A. marked Tripp-1, and I refer to this as a 14 complaint. All right. You may refer to it 15 Q. Okay. Can you tell me how you 15 16 as something else. 16 learned you were the subject of this complaint? 17 MR. HENZES: No. I'm just 17 A. I believe from Lieutenant Hile. 18 18 asking. That's all. 19 MR. PURICELLI: Oh, okay. 19 Q. Okay. And how was that 20 All right. 20 communication? 21 BY MR. PURICELLI: 21 A. Well, when he interviewed me for Now, did you come to learn that 22 22 Q. it. you were the subject of this complaint by 23 Did you provide any written 23 Q. statement knowing that you were the subject 24 **Christopher Bush?** 24 25 of this complaint? A. Yes.

25